IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

Bail Appl..No. 864 of 2007()

CRIME NO.347/05 OF KOLLAM EAST POLICE STATION

: PETITIONER/8TH ACCUSED:

SUKUMARAN, S/O. MADHAVAN PILLAI,
AGED 49 YEARS, ASWATHY, SOORYA NAGAR-15,
AYATHI, KOLLAM.

BY ADV. SRI.K.S.MANU (PUNUKKONNOOR)
SRI.P.SREEKUMAR

RESPONDENTS: COMPLAINANT & STATE:

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1. SUB INSPECTOR OF POLICE,
KOLLAM EAST POLICE STATION, KOLLAM.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 864 OF 2007

Dated this the 1st day of March, 2007

O R D E R

Petitioner, who is the 8th accused in Crime No.347/05 of Kollam East Police Station for offences punishable under Sections 406, 408, 420 and 468 read with section 120B IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that the petitioner along with the other 12 accused, some of whom are employees of the Milma Dairy, Kollam, had caused wrongful loss to the Dairy to the tune of Rs.6,14,742.40 by creating false entries in the purchase register during the period from 16.6.2003 to 11.2.2004.

4. It is too early to accept the petitioner's contention that he was only a collecting agent and he had nothing to do with the Milma Dairy.

5. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Investigating Officer for interrogation and then have his application for regular bail considered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 7.3.2007 and 9.3.2007 for the purpose of interrogation.

The petitioner shall, thereafter, be produced before the Magistrate on the same day. The Magistrate shall consider and dispose of the application for regular bail, if any, filed by the petitioner. Such consideration shall be preferably on the same date on which the application is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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